

U.S. Patent Application Serial No. 10/826,501  
Response filed November 27, 2007  
Reply to OA dated July 27, 2007

**AMENDMENTS TO THE CLAIMS:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

**Listing of Claims:**

Claim 1 (Currently Amended): An electronic device having an imaging part which catches an image obtained through an optical system, and a focusing mechanism which moves said optical system to an auto-focusing position or a fixed focus position; optical system for capturing an image comprising:

a focusing mechanism for moving said optical system to an auto-focusing position or a fixed focus position;

a switch that functions as a focusing switch ~~ordering said focusing mechanism a focusing action and also functions as a shutter switch ordering taking of an image caught by said imaging part, wherein said switch when operated orders a~~ ordering the focusing action or ~~orders the taking capturing of the caught image by being operated;~~ and

~~a control part that; a controller that in the case in which where~~ a shutter operation of said switch is performed during ~~the~~ a focusing action of said focusing mechanism due to said switch, ~~switches shifts~~ said optical system to ~~said~~ a fixed focus position from ~~said~~ an auto-focusing position and takes a fixed focus image.

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Claim 2 (Currently Amended): The electronic device of claim 1, wherein said ~~control part~~ ~~controller~~ compares between a time required for bringing into focus in said focusing mechanism and a time from starting of the focusing action until starting of said shutter operation, and changes said optical system to said auto-focusing position or said fixed focus position based on a result of the comparison.

Claim 3 (Original): The electronic device of claim 1, wherein said switch is provided as a first switch, and a switch which is used in photographing by a fixed focus is also provided as a second switch separated from the first switch.

Claim 4 (Original): The electronic device of claim 1, wherein said switch functions as said focusing switch at a state of a half-push and functions as said shutter switch at a state of a full-push.

Claim 5 (Original): The electronic device of claim 1 further comprising:  
a first housing part that has said imaging part;  
a second housing part that has said switch; and  
a coupling part that couples said first housing part and said second housing part so that the first and second housing parts can be folded up.

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Claim 6 (Currently Amended): An electronic device having an ~~imaging part which catches an image obtained through an optical system, and a focusing mechanism which moves said optical system to an auto-focusing position or a fixed focus position; optical system for capturing an image~~ comprising:

a focusing mechanism for moving said optical system to an auto-focusing position or a fixed focus position;

~~a switch that functions as a focusing switch ordering said focusing mechanism a focusing action and also functions as a shutter switch ordering taking of an image caught by said imaging part, wherein said switch according to a condition of operation ordering orders a the focusing action or the taking capturing of the caught image according to a condition of operation; and~~

~~a control part that, a controller that in the case in which where a shutter operation of said switch is performed during the a focusing action of said focusing mechanism due to said switch[[],] takes an image[[],] at a focus position in the middle of the focusing action, which is caught by said imaging part.~~

Claim 7 (Original): The electronic device of claim 6, wherein said switch is provided as a first switch, and a switch which is used in photographing by a fixed focus is also provided as a second switch separated from the first switch.

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Claim 8 (Original): The electronic device of claim 6, wherein said switch functions as said focusing switch at a state of a half-push and functions as said shutter switch at a state of a full-push.

Claim 9 (Original): The electronic device of claim 6 further comprising:  
a first housing part that has said imaging part;  
a second housing part that has said switch; and  
a coupling part that couples said first housing part and said second housing part so that the first and second housing parts can be folded up.

Claim 10 (Original): A photographing control method of an electronic device having an imaging part which catches an image obtained through an optical system, and a focusing mechanism which moves said optical system to an auto-focusing position or a fixed focus position, comprising:  
a process that detects a shutter operation in the middle of a focusing action of said focusing mechanism;  
a process that detects said shutter operation and switches to said fixed focus position from said auto-focusing position of said optical system under the focusing action; and  
a process that takes a fixed focus image caught at said fixed focus.

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Claim 11 (Original): The photographing control method of the electronic device of claim 10 further including a process that superimposes a focusing mark representative of a distance between a pictured object and the optical system on an image, in the middle of said focusing action, which is caught by said imaging part, and displays it.

Claim 12 (Original): A photographing control method of an electronic device having an imaging part which catches an image obtained through an optical system, and a focusing mechanism which moves said optical system to an auto-focusing position or a fixed focus position, comprising:

a process that detects a shutter operation in the middle of a focusing action of said focusing mechanism; and

a process that detects said shutter operation and takes an auto-focusing image caught by said imaging part in the middle of the focusing action.

Claim 13 (Original): A photographing control program of an electronic device having an imaging part which catches an image obtained through an optical system, and a focusing mechanism which moves said optical system to an auto-focusing position or a fixed focus position, comprising:

a step that detects a shutter operation in the middle of a focusing action of said focusing mechanism;

a step that detects said shutter operation and switches to said fixed focus position from said auto-focusing position of said optical system under the focusing action; and

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a step that takes a fixed focus image caught at said fixed focus.

Claim 14 (Original): A photographing control program of an electronic device having an imaging part which catches an image obtained through an optical system, and a focusing mechanism which moves said optical system to an auto-focusing position or a fixed focus position, comprising:

a step that detects a shutter operation in the middle of a focusing action of said focusing mechanism; and

a step that detects said shutter operation and takes an auto-focusing image caught by said imaging part in the middle of the focusing action.

Claim 15 (Original): An integrated circuit to which an imaging part catching an image obtained through an optical system and a focusing mechanism moving said optical system to an auto-focusing position or a fixed focus position are connected externally, comprising:

a detection part that detects a shutter operation in the middle of a focusing action of said focusing mechanism; and

a control part that, on the basis of a detection of said detection part, switches to said fixed focus position from said auto-focusing position of said optical system under the focusing action and takes a fixed focus image caught at said fixed focus.

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Claim 16 (Original): An integrated circuit to which an imaging part catching an image obtained through an optical system and a focusing mechanism moving said optical system to an auto-focusing position or a fixed focus position are connected externally, comprising:

a detection part that detects a shutter operation under a focusing action of said focusing mechanism; and

a control part that takes an auto-focusing image in the middle of the focusing action based on a detection of said shutter operation of said detection part.